

ARIZONA STATE BOARD OF DISPENSING OPTICIANS

BOARD MEETING MINUTES

June 1, 2011

The Arizona State Board of Dispensing Opticians and held a meeting at 1400 W. Washington, Conference Room 230, Phoenix, Arizona 85007. The Board meeting commenced at 10:30 a.m.

BOARD MEMBERS PRESENT: A. Mansour, Chairman, Licensed Optician
 B. Chandler, Secretary, Licensed Optician
 C. Newman, Public Member
 D. Nyblade, Licensed Optician

BOARD MEMBERS ABSENT: B. Bergier, Vice-Chairman, Licensed Optician
 E. Evans, Licensed Optician
 P. Moore, Public Member

OTHERS PRESENT: L. Scott, Executive Director
 K. Verstegen, Assistant Attorney General

1. Call to Order and Roll Call

Chairman Mansour called the meeting to order at 10:33 a.m. and roll call was taken. Vice-Chairman Bergier and Board members Evans and Moore were absent.

2. Declaration of Conflicts of Interest

None noted

3. Approval of Minutes.

Board member Nyblade moved to approve of the minutes, as written, of the Board meeting held on May 4, 2011. Board member Chandler seconded the motion and it carried.

4. Miscellaneous Matters

A. Director's Report –

1. Payroll Changes – Ms. Scott reported the payroll changes for July 1, payday and direct deposit do not affect any Board members.
2. Ms. Scott reported that the Governor's office is not going to reduce the Dispensing Opticians fund by \$1,100 this fiscal year. The fund sweeps is only going to be \$300.

MINUTES
June 1, 2011
Page Two

5. Possible Violations

- A. 11-001 J.C. Penney Optical #992 – no licensed optician. The Board office has not received a response from J.C. Penney Corporate office regarding how long they were without a licensed optician. A formal letter will be sent.
- B. 11-002 LensCrafters – record keeping - A response from LensCrafters Corporate office regarding record keeping was received and reviewed by the Board. Chairman Mansour moved to find LensCrafters in violation of R4-20-118.2. Board Member Newman seconded the motion. The motion failed. The Board discussed the matter further. Board Member Nyblade moved to find Luxottica in violation of R4-20-118.2. Board Member Newman seconded the motion. Board Member Chandler abstained from voting. The motion passed. The Board discussed the case further. Board Member Nyblade moved to offer a consent agreement to Luxottica Retail to allow them 60 days to develop a policy or procedure to maintain a “copy” of the customer’s prescription and 60 days to implement such procedure. Board Member Newman seconded the motion and it passed.
- C. Big Discount Eyeglasses – Ms Scott reported the complaint received against Big Discount Eyeglasses Board member Nyblade moved to assign an investigation to the complaint. Board Member Newman seconded the motion and it passed.
- D. Nationwide Vision, Inc. – Chairman Mansour inquired to the Board how long Nationwide Vision was given to be in compliance with licensing all of its establishments. Ms Scott informed her that a set deadline was not ever established. Nationwide did agree to license all of its establishments a rate of five per month. This has not happened. There are still approximately 10 locations that are still not licensed. Board Member Nyblade moved to open complaints for the locations that are not licensed. Board Member Newman seconded the motion and it passed.

6. Applications for Licensure

- A. Chairman Mansour moved to approve the applications for establishment license for Items A through H. Board member Nyblade seconded the motion and it carried.

MINUTES
June 1, 2011
Page Three

7. Future Meeting Dates

- A. Jul 6, 2011 – meeting cancelled - Next regular meeting will be August 3rd.
- B. Sep.7. – Regular meeting following exam Oct. 5, Nov. 2, and Dec. 7, 2011, to be determined if they will be teleconferences or regular meetings.

8. Future Agenda Items

11-001 J. C. Penney Optical #992
11-002 LensCrafters
Big Discount Eyeglasses investigation
Nationwide Vision - establishments
Review applications for September Exam

9. Call to the public

None present

10. Meeting Adjourned

With no further business the meeting adjourned at 11:22 a.m.

Submitted by:
Lori D. Scott
Executive Director

Approved: Lori D. Scott
Date: August 3, 2011